Form NLRB - 501 (2-08)

# UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

### **CHARGE AGAINST EMPLOYER**

INICT	ГОІ	ICT	IONS

DO NOT WRITE IN THIS SPACE				
Case Date Filed				

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.  1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT  1. Address (street, city, state ZIP code) 3149 North Thomas Memphis, TN 38127  1. Type of Establishment (factory, nursing home, hote) 1. Type of Establishment (factory, nursing home, hote) 1. Type of Establishment (factory, nursing home, hote) 1. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are unfair practices are unfair practices and the relationship of the facts constituting the alleged unfair labor practices)  On or about 1888-1889 2013, the above-named Employer, by its officers, agents and representatives specifically (b) (b) (c) (c) (c) (d) (d) (d) (d) (e) (e) (e) (f) (f) (f) (f) (f) (f) (f) (f) (f) (f			
a. Name of Employer McDonald's  d. Address (street, city, state ZIP code) 3149 North Thomas Memphis, TN 38127  e. Employer Representative (b) (6), (b) (7)(C)  g. e-Mail  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location (City and State) Memphis, TN  k. Number of workers at dispute location (A)  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location (A)  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location (A)  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location (A)  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location (A)  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location (A)  c. Bars of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  On or about practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.  (b) (a) (b) (b) (c) (c) (c) (c) (d) (d) (d) (d) (d) (d) (d) (d) (d) (d	File an original of this charge with NLRB Regional Direct	tor in which the alleged unfair labor practice o	occurred or is occurring.
McDonald's  d. Address (street, city, state ZIP code) 3149 North Thomas Memphis, TN 38127  e. Employer Representative (b) (6), (b) (7)(C)  g. e-Mail  h. Dispute Location (City and State) Memphis, TN  h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location 40  I. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices and fries  I. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of the Act, or these unfair labor practices are practices and the act and the Postal Reorganization of the Act, or these unfair labor practices are unfair labor practices and the charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  On or about (b) (6), (b) (7) (C)  On about (b) (6), (b) (7) (C)  2013, Decause Morellows engaged in protected concerted activity; specifically, (b) (a) (b) (b) (7) (c) (c) (c) (c) (d) (d) (d) (d) (d) (d) (d) (d) (d) (d		OYER AGAINST WHOM CHARGE IS BROU	JGHT
d. Address (street, city, state ZIP code) 3149 North Thomas Memphis, TN 38127  e. Employer Representative (b) (6), (b) (7)(C)  g. e-Mail  h. Dispute Location (City and State) Memphis, TN  h. Number of workers at dispute location 40  l. Type of Establishment (factory, nursing home, note) Restaurant  l. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices and freight and the Act, or these unfair labor practices are practices and the act and the Postal Reorganization Act.  2. Basis of the Charge (set forth a clear and concase statement of the facts constituting the alleged unfair labor practices.  On or about (a) (b) (b) (c) (c) (c) (c) (d) (d) (d) (d) (d) (d) (d) (d) (d) (d			
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h. Dispute Location (City and State) Memphis, TN  k. Number of workers at dispute location 40  Restaurant  I. The above named employer has engaged in and is engaging unfair labor practices affecting commerce within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair labor practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair labor practices are unfair labor practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair labor practices are unfair labor practices.  Do no rabout proceed in the dear and concise statement of the facts constituting the alleged unfair labor practices.  On or about proceed in the procedure of the facts constituting the alleged unfair labor practices.  On or about procedure of the facts constituting the alleged unfair labor practices.  Section 10 (b) (c) (d) (d) (d) (d) (d) (d) (d) (d) (d) (d	3149 North Thomas	(b) (6), (b) (7)(C)	
Type of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries	Memphis, TN 38127		g. e-Mail
Type of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries	'		
Principal Product or Service   Surgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service   Burgers and Fries   Leave of Establishment (factory, nursing home, hotel)   Principal Product or Service (factory) of the facts can stituting the meaning of section 8(a), subsections (f1) of the facts can stitute the meaning of section 8(a), subsections (f1) of the facts can stitute the meaning of section 8(a), subsections (f1) of the facts within the meaning of section 8(a), subsections (f1) of the facts can stitute the meaning of section 8(a), subsections (f1) of the facts can stitute the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act, and the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act, and the Postal Reorganization of the Act, and the Postal Reorganization of the Act and the Postal Reorganization of the Act, and the Postal Reorga			
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discuss working conditions with coworkers.  3. Full name of party filing charge (if labor organization, give full name, including local name and number)  (b) (6), (b) (7)(C)  4a. Address (street and number, city, state, and ZIP code)  (b) (6), (b) (7)(C)  4c. Cell No. (b) (6), (b) (7)(C)  4d. Fax No.  4e. e-Mail (b) (6), (b) (7)(C)  5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)  NA  6. DECLARATION 1 declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  By:  (b) (6), (b) (7)(C) Individual  (c) (6), (b) (7)(C)  Office, if any, Cell No. (b) (6), (b) (7)(C)  Date:  Print Name and Title Date:  Fax No.  e-Mail	(b) (6), (b) (7)(C) ser	nt home and then discharged its e	mployee (b) (6), (b) (7)(C) on (b) (7)(C)
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3. Full name of party filing charge (if labor organization, give full name, including local name and number)  (b) (6), (b) (7)(C)  4a. Address (street and number, city, state, and ZIP code)  (b) (6), (b) (7)(C)  4c. Cell No. (b) (6), (b) (7)(C)  4d. Fax No. 4e. e-Mail (b) (6), (b) (7)(C)  5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filled by a labor organization)  NA  6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  By:  (b) (6), (b) (7)(C)  Individual  Office, if any, Cell No. (b) (6), (b) (7)(C)  Print Name and Title Date:  Fax No. e-Mail			
(b) (6), (b) (7)(C)  4a. Address (street and number, city, state, and ZIP code)  (b) (6), (b) (7)(C)  4b. Tel. No. (b) (6), (b) (7)(C)  4c. Cell No. (b) (6), (b) (7)(C)  4d. Pax No. 4e. e-Mail (b) (6), (b) (7)(C)  5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)  NA  6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  By:  (b) (6), (b) (7)(C) Individual  (c) (b) (6), (b) (7)(C)  (b) (6), (b) (7)(C)  (c) (b) (6), (b) (7)(C)  (d) (e) (finy, Cell No. (b) (6), (b) (7)(C)  (b) (6), (b) (7)(C)  (c) (d) (e) (e) (finy, Cell No. (b) (fine, finy, Cell No. (b) (finy, finy, Cell No. (c) (finy, finy, Cell No. (c) (finy, finy, Cell No. (c) (finy, finy,			ber)
4a. Address (street and number, city, state, and ZIP code)  (b) (6), (b) (7)(C)  4c. Cell No. (b) (6), (b) (7)(C)  4d. Fax No.  4e. e-Mail (b) (6), (b) (7)(C)  4d. Fax No.  4e. e-Mail (b) (6), (b) (7)(C)  4d. Fax No.  4e. e-Mail (b) (6), (b) (7)(C)  Tel. No. (b) (6), (b) (7)(C)  4d. Fax No.  4e. e-Mail (b) (6), (b) (7)(C)  Tel. No. (b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)		·
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my knowledge and belief.  By:  (b) (6), (b) (7)(C) Individual  Office, if any, Cell No. (b) (6), (b) (7)(C)  Print Name and Title Date:  Fax No.  e-Mail	I declare that I have read the above charge and the	at the statements are true to the best of	
By:  (b) (6), (b) (7)(C) Individual  (b) (6), (b) (7)(C)  (signature of representative or person making charge)  Address: (b) (6), (b) (7)(C)  Print Name and Title Date:  Fax No.  e-Mail			
(signature of representative or person making charge) Address: (b) (6), (b) (7)(C)  Print Name and Title Date:  E-Mail	-		
Address: (b) (6), (b) (7)(C) Date: e-Mail	By:	(b) (6), (b) (7)(C) Individual	(b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C) Date: e-Mail			
Address: (b) (6), (b) (7)(C)  Date:  e-Mail (b) (6), (b) (7)(C)	(signature of representative or person making charge		
(b) (6), (b) (7)(C)	Address: (b) (6), (b) (7)(C)	l <del></del>	
			(b) (b), (b) $(7)(C)$

# ILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Form NLRB - 501 (2-08)

### UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

## **CHARGE AGAINST EMPLOYER**

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE Date Filed Case 4/19/2013 15-CA-103287

	Director in which the alleged unfair labor practice of	
	EMPLOYER AGAINST WHOM CHARGE IS BROU	
a. Name of Employer		b. Tel. No
McDonald's		(b) (6), (b) (7)(C)
		c Cell No.
d. Address (street, city, state ZIP code)	e. Employer Representative	f. Fax No
3149 North Thomas	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
Memphis, TN 38127	(D)(D),(D)(T)(D)	g e-Mail
		10.
		h Dispute Location (City and State)
		Memphis, TN
Type of Establishment (factory, nursing home,	j. Principal Product or Service	k Number of workers at dispute location
hotel)	Durana and Edica	40
Restaurant	Burgers and Fries	
	d is engaging unfair labor practices within the mean	
	or practices are practices affecting commerce within	
practices are untail practices affecting commerce	within the meaning of the Act and the Postal Reorg	anization Act.
2 Basis of the Charge (set forth a clear and conc	se statement of the facts constituting the alleged ur	fair labor practices)
2 Basis of the Charge (ser forth a clear and concr	se statement of the facts constituting the alleged th	naii labol practices)
On or obout (b) (6) (b) (7)(C) 2012 the obo	we named Employer by its officers of	anto and representatives, energifically
	ove-named Employer, by its officers, ag	gents and representatives, specifically
(b) (6), (b) (7)(C)	sent home and then discharged its e	mployee (b) (6), (b) (7)(C) on (b) (6), (b) (7)(C)
2013, because (b) (6), (b) (7)(c) engaged in	protected concerted activity; specifically,	engaged in protected right to
discuss working conditions with cowor	rkers.	
1		
3. Full name of narty filing charge (if labor organiz	ation, give full name, including local name and num	her)
	ation, give full name, including local name and num	ber)
(b) (6) (b) $(7)(C)$		
(b) (6) (b) $(7)(C)$		4b_Tel No.
		4b Tel No. (b) (6), (b) (7)(C)
(b) (6) (b) $(7)(C)$		4b Tel No. (b) (6), (b) (7)(C) 4c Cell No
(b) (6) (b) $(7)(C)$		4b Tel No. (b) (6), (b) (7)(C) 4c Cell No (b) (6), (b) (7)(C)
(b) (6) (b) $(7)(C)$		4b Tel No. (b) (6), (b) (7)(C) 4c Cell No
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(b) (6) (b) $(7)(C)$		4b Tel No. (b) (6), (b) (7)(C)  4c Cell No (b) (6), (b) (7)(C)  4d. Fax No  4e. e-Mail
(b) (6), (b) (7)(C)  4a. Address (street and number, city, state, and Z (b) (6), (b) (7)(C)	IP code)	4b Tel No. (b) (6), (b) (7)(C) 4c Cell No (b) (6), (b) (7)(C) 4d. Fax No  4e. e-Mail (b) (6), (b) (7)(C)
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### ILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) PRIVACY ACT STATEMENT

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# UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

SUBREGION 26 80 MONROE AVE STE 350 MEMPHIS, TN 38103-2400

Agency Website: www.nlrb.gov Telephone: (901)544-0018 Fax: (901)544-0008

April 22, 2013

(b) (6), (b) (7)(C)

McDonald's 3149 North Thomas Memphis, TN 38127

Re: McDonald's

Case 15-CA-103287

## Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge is being investigated by Field Attorney LINDA M. MOHNS whose telephone number is (901)544-0027.

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be

considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, <u>www.nlrb.gov</u>. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, <a href="www.nlrb.gov">www.nlrb.gov</a> or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

M. Kattleen M. Kinney
M. KATHLEEN MCKINNEY
Regional Director

Enclosures:

- 1. Copy of Charge
- 2. Commerce Questionnaire

Revised 3/21/2011	NATIONAL LABOR RELA	ATIONS BOARD					
QUESTIONNAIRE ON COMMERCE INFORMATION							
Please read carefully, answer all applicable ite			age and identify item number				
CASE NAME	mis, and return to the NERD Office. If additi	onar space is required, picase add a p	CASE NUMBER				
McDonald's			15-CA-103287				
1. EXACT LEGAL TITLE OF ENTITY (	As filed with State and/or stated in lega	l documents forming entity)					
	-	-					
A THE OF PARTY							
2. TYPE OF ENTITY	ID II DADTHERSHED II SOI	E DRODRIETORGIUD I I OTTI	ED (C				
[] CORPORATION [] LLC [] L	LP [ ] PARTNERSHIP [ ] SOL	E PROPRIETORSHIP [ ] OTH	ER (Specify )				
3. IF A CORPORATION or LLC A. STATE OF INCORPORATION	B. NAME, ADDRESS, AND RELATION	ONSHIP (e.g. parent subsidiary) OF	ALL RELATED ENTITIES				
OR FORMATION	B. WHILL, PUBLISS, PILB RELEVITE	Sivorin (e.g. parent, substanty) or	THE RELATED LIVINGS				
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6. BRIEFLY DESCRIBE THE NATURE	OF YOUR OPERATIONS (Products h	andled or manufactured, or nature o	services performed).				
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8. NUMBER OF PEOPLE PRESENTLY							
A. Total:	B. At the address involved in this i		SAL VD (EV.)	`			
9. DURING THE MOST RECENT (Che.	ck appropriate box): [ ] CALENDAR Y	R [] 12 MONTHS or [] FISO	CAL YR (FY dates YES	NO			
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<del>-</del>	you provide services valued in exce	ess of \$50,000 to public utilities t	ransit systems	\$ C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems,			
newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If							
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D. Did you sell goods valued in excess		ted outside your State? If less tha	n \$50,000, indicate				
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PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

## **UNITED STATES OF AMERICA**

### BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCDONALD'S	
Charged Party	
and	Case 15-CA-103287
(b) (6), (b) (7)(C)	
Charging Party	
AFFIDAVIT OF SERVICE OF CHARGE AGAINS  I, the undersigned employee of the National Labor Relatance April 22, 2013, I served the above-entitled document(s) following persons, addressed to them at the following act  (b) (6), (b) (7)(C)  McDonald's 3149 North Thomas Memphis, TN 38127	tions Board, state under oath that on by post-paid regular mail upon the
	eri Termon, Designated Agent of NLRB
Date	Name
	/s/

Signature



# UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 15 600 S. MAESTRI PLACE 7<sup>TH</sup> FLOOR NEW ORLEANS, LA 70130-3408

Agency Website: www.nlrb.gov Telephone: (504)589-6361 Fax: (504)589-4069

Agent's Direct Dial: (504)589-3113

(b) (6), (b) (7)

(b) (6), (b) (7)(C), (b) (7)(D)

Re:

McDonald's 15-CA-103287

Dear (b) (6), (b) (7)

Enclosed is the affidavit I prepared based on our conversation on (b) (6), (b) (7). As we discussed, the affidavit will be considered a confidential law enforcement record by the Board and will not be disclosed unless it becomes necessary to produce the affidavit in connection with a formal proceeding. Please do not show this affidavit to anyone other than your attorney or representative in this matter.

You should read the affidavit very carefully to make sure everything is correct. If you find anything that is not fully accurate, make the appropriate changes and then place your initials next to anything you cross out or add. If something relevant is omitted from the affidavit, you may add that but call me so we can discuss the addition and make sure all the necessary information is included. If you add something, place your initials next to that addition.

When you sign the affidavit you should place your initials at the bottom of each page to indicate that you have read it and then sign and date the last page of the affidavit. When you have initialed and signed the affidavit, please mail it to me. I am requesting that you mail the affidavit with your original signature so that my office receives it on or before May 14, 2013.

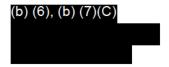
If you have any questions or remember anything else that is important, please immediately let me know. Thank you for your assistance in this matter.

Very truly yours, /s/

JORDAN A. GARNER Field Examiner SUBREGION 26 80 MONROE AVE STE 350 MEMPHIS, TN 38103-2400

Agency Website: www.nlrb.gov Telephone: (901)544-0018 Fax: (901)544-0008

April 22, 2013



Re: McDonald's

Case 15-CA-103287

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on April 19, 2013 has been docketed as case number 15-CA-103287. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

<u>Investigator</u>: This charge will be investigated by Field Attorney LINDA M. MOHNS whose telephone number is (901)544-0027. If the Board agent is not available,

<u>Right to Representation</u>: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701*, *Notice of Appearance*. This form is available on our website, <u>www.nlrb.gov</u>, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

<u>Presentation of Your Evidence</u>: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

<u>Procedures:</u> We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlrb.gov. However, the Agency will continue to accept timely filed

paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlrb.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

M. KATHLEEN MCKINNEY

M. Kathleen McKenney

Regional Director

From: Garner, Jordan A.

(b) (6), (b) (7)(C) To: Subject: Confidential Witness Affidavit Date: (b) (6), (b) 2013 9:47:46 AM affidavit cover letter.pdf AFF.15-CA-103287 (b) (6). (b) (7)( Attachments:

Telephone Affidavit.pdf

### (b) (6), (b) (7)(C)

Please see the attached affidavit and cover letter. Please follow the instructions in the cover letter and review and return the attached affidavit to me no later than (b) (6), 2013. If you have any questions, please feel free to contact me. Thank you.

### Jordan A. Garner, Field Examiner

National Labor Relations Board Region 15 600 South Maestri Place New Orleans, Louisiana 70130-3414

Phone: (504) 589-3113 Fax: (504)589-4069

CONFIDENTIALITY NOTICE: This e-mail and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, any interception, copying, distribution, disclosure or use of this transmission or information contained in it is strictly prohibited. If you have received this in error, please delete it and any attachments from your system without copying them and notify me immediately by return e-mail so that our records can be corrected. Thank you!

Case Name: McDonald's Case No. 15-CA-103287

Agent: Field Attorney LINDA M. MOHNS

## CASEHANDLING LOG

Date	Person Contacted	Method of Contact	Description of Contact or Activity
4/22/2013	SFX Cleve	In Person	Met with SFX Cleve. Asked him how I needed to schedule the affidavit (b) (5)
(2013) (2013) (2013) (2013) (2013) (2013)	(b) (6), (b) (7)(C)	Ph	Called Mass the investigator on the charge and (b) (5), (b) (6), (b) (7)(C)

			Informed I would call back to let know about an affidavit.
<sup>(b)(6),(b)(</sup> /2013	(b) (6), (b) (7)(C)	Ph	paperwork from us and wanted to know what it was. I told that it is the documentation that our office sends to all charging parties when they file a charge.  (D)(G)(D)(7)(C) asked me what it meant when the papers said could have "representation" I told that it meant hat had the right to have an attorney represent in the matter but told to have an a
5/2/2013	SFX Cleve	In Person	Met with SFX Cleve. (b) (5)
(2013) (a) (b) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c	(b) (6), (b) (7)(C)	Ph	Called (b) (6), (b) (7)(C) Left a VM for to call me back.

			(b) (5), (b) (6), (b) (7)(C)
5/6/2013	Teri Pierce	Ph	Teri Pierce called and informed me she represents the Er in the charge. She informed me she can get a pst together and can send me all the write ups the CP has received but informed me (b) (5)  I informed her I had not yet sent an EAJA letter out to request evidence and stated that the Er pst would not be due until after I sent that out. I asked if she could submit a NoA for the case. She asked if I could email a NoA form to her. I informed her I would.
5/10/2013	SFX Cleve	In Person	Met with Cleve. Informed him (b) (5)  We scheduled the agenda for 5/22 at 9:30 AM.
5/15/2013	(b) (6), (b) (7)(C)	Ph	Called (b) (6), (b) (7)(C)  Asked (b) (5), (b) (6), (b) (7)(C)

			(b) (5), (b) (6), (b) (7)(C)
5/15/2013	SFX Cleve	In person	Met with SFX Cleve and informed him that (b) (5), (b) (6), (b) (7)(c)
5/15/2013	(b) (6), (b) (7)(C)	Phone	Called (b) (6), (b) (7)(c) Asked for for phone number.  said phone number was (b) (6), (b) (7)(C)
5/15/2013	(b) (6), (b) (7)(C)	Ph	Left a VM for (b) (b) (c) (c)
5/16/2013	(b) (ö). (b) (7)(C)	Ph	Called right back at (b) (6), (b) (7)(C) asked that I call right back at (b) (c), (b) (7)(C)  Called right back at (b) (c), (c) (7)(C)  Called on. (b) (5), (b) (6), (b) (7)(C)

5/16/2013	SEY Cleve	In Derson	(b) (5), (b) (6), (b) (7)(C)
5/16/2013	SFX Cleve	In Person	Met with SFX Cleve. Informed him of (b) (6), information. SFX Cleve stated tha
5/23/2013	(b) (6), (b) (7)(C)	Ph	Called (b) (6), (b) (7)(C) Informed of (b) (5), (b) (6), (b) (7)(C)

	stated that wished to w/d the charge and will likely pursue it in a different legal arena. Informed of 10(b) and stated stated understood.
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# UNITED STATES GOVERNMENT NATIONAL LABOR RELATIONS BOARD

REGION 15 600 S MAESTRI PL FL 7 NEW ORLEANS, LA 70130-3414

Agency Website: www.nlrb.gov Telephone: (504)589-6361 Fax: (504)589-4069

May 24, 2013

TERRIL E. PIERCE, ATTORNEY 1200 SHERMER ROAD, SUITE 310 NORTHBROOK, IL 60062

Re: McDonald's

Case 15-CA-103287

Dear Ms. Pierce:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/

SUSAN O. CROCHET Acting Regional Director

SOC/tlt

cc: (b) (6), (b) (7)(C)

MCDONALD'S 3149 NORTH THOMAS MEMPHIS, TN 38127

(b) (6), (b) (7)(C)